



# Monterey County Planning Commission

Board of Supervisors  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 5

Legistar File Number: PC 19-054

July 31, 2019

**Introduced:** 7/22/2019

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** Planning Item

### **PLN180112 - RAWNSLEY**

Public hearing to consider construction of a 4,212 square foot single family dwelling with 1,163 square foot detached garage/workshop, and 599 square foot detached guesthouse/pool house on slopes in excess of 25% and including the removal of 24 oak trees.

**Project Location:** 14 Upper Circle, Carmel Valley (Assessor's Parcel Number 197-081-014-000), Carmel Valley Master Plan

**Proposed CEQA action:** Categorically Exempt per Section 15303 of the CEQA Guidelines

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- 1) Find the project is a single-family residence which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2; and
- 2) Adopt a resolution to approve a Combined Development Permit consisting of:
  - a. Administrative Permit and Design Approval to allow the construction of a 4,212 square foot single family dwelling, 1,163 square foot detached garage/workshop, 599 square foot detached guesthouse/pool house;
  - b. Use Permit for removal of 24 Oak trees; and
  - c. Use Permit for development on slopes in excess of 25%

The Project also includes grading of 1,780 cubic yard of cut and 510 cubic yards of fill.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 11 conditions of approval.

### PROJECT INFORMATION:

**Agent:** Justin Pauly

**Property Owner:** Kathi Rawnsley

**APN:** 197-081-014-000

**Parcel Size:** 23.5 acres

**Zoning:** LDR/2.5-D-S-RAZ

**Plan Area:** Carmel Valley Master Plan

**Flagged and Staked:** Yes

### SUMMARY:

Located approximately 0.35 miles west of Carmel Valley Road and 0.5 mile off Carmel Valley Vintage Airfield, the project site is part of the Rancho Del Robledo Subdivision. This parcel is a 23.5-acre lot which is in a densely forested rural area of Carmel Valley. The subject project consists

of a one-story single-family dwelling, detached garage/workshop, guesthouse/pool house and removal of 25 trees (24 Oaks and 1 Buckeye) ranging from 6"-24" in diameter with an assessment of poor to fair condition. No healthy landmark trees are affected by this proposal. Development on slopes in excess of 25% is also required for the improvement of the existing road.

The neighboring residents have expressed concern that they have historically been able to utilize a portion of the proposed site as part of an emergency exit route. This is based on the flood of 1995 that damaged Stonepine bridge and residents needed an alternative route that took them over and down through Rancho el Robledo Road. Staff has reviewed County records and the Grant Deed and confirmed that there are no easements on the applicant's property that would entitle nearby residents access to this parcel.

#### DISCUSSION:

##### Tree Removal:

The proposed project would include the removal of 25 trees (24 Oaks and 1 Buckeye). The 24 oaks are considered protected trees in Monterey County. The majority of the trees are growing within the area of proposed the driveway. Due to the dense forest conditions (estimated over 1,500 trees), on a 23.5-acre lot, development without tree removal is not feasible. Approval for tree removal amount must be based on regulations pursuant to Section 21.64.260 of the Monterey County Zoning Ordinance, Title 21. This section of code states that proposed tree removal will not involve a risk of significant adverse environmental impacts such as soil erosion, water quality degradation, ecological impacts upon existing biological or ecological systems, noise pollution, and movement or significant reduction of available wildlife habitat.

A report dated February 28, 2019 (**Exhibit D**) was submitted by Frank Ono, Urban Forester.

Of the 24 oaks proposed for removal, three (3) are dead. Four (4) trees are within the house development area, one (1) tree is within the required septic leach field, and the remaining twenty (20) are for the driveway and required fire bypass areas.

Based on substantial evidence, the trees proposed for removal are the minimum required under the circumstance of the case and will not involve a risk of adverse environmental impacts. Therefore, the proposed tree removal is consistent with the regulations contained in Section 21.64.260 (Preservation of Oak and Other Protected Trees) of the Monterey County Zoning Ordinance, no oak, madrone or redwood tree six inches or more in diameter two feet above ground level shall be removed in the Carmel Valley Master Plan without approval of the permit(s) required in Subsection 21.64.260D.

##### Tree Protection/Replacement:

Pursuant to the requirements of the Monterey County Zoning Ordinance Section 21.64.260., all non-landmark oak trees removed as a result of the project shall be replaced at a one-to-one (1:1) ratio. Due to forest over-crowding, and the fire prone nature of the area with steep slopes and heavy vegetation, the arborist recommends a one-to-two (1:2) ratio resulting in replacement of 12 Coast Live Oaks. Staff concurs with this replacement ratio considering the lot is populated with over 1,500 trees. The minimum replacement size shall be 5 gallons. These oaks would be planted throughout the

remainder of the parcel at a distance of 10 feet apart. A condition of project approval, (Condition No. 7) requiring the replacement/replanting of all removed trees has been applied to the project.

In addition, a condition of project approval (Condition No. 8) has been applied for surrounding trees located close to the construction site. These surrounding trees shall be protected from construction equipment by fencing off the canopy driplines and/or critical root zones with protective materials.

Project Issues:

Slopes:

There is an existing dirt road (approximately 0.5-mile-long) beginning from the front of the property and ending in close proximity to the proposed location of the dwelling. The road leads to an open, clear, and leveled area with significantly less vegetation and trees. According to the oldest Google Imagery dated 1994, this road has been in existence for over 25 years. Staff conducted a site visit on March 18, 2019 and confirmed that over 80% of the site contains slopes in excess of 25%. Utilization of this existing road is ideal for minimizing tree removal and grading of untouched slopes.

The majority of the proposed grading is for the improvements of the existing old access roadway/driveway to the dwelling. Improvements to the road consists mainly of clearing, flattening, and widening activities. Monterey County Regional Fire has provided input on the construction of the road to ensure that it can be improved to their standards. Therefore, staff finds that the proposed structure was appropriately sited on a relatively steep parcel and determined that the proposed building site represents the most feasible location for the proposed structures.

Emergency Access Route:

Staff received a letter dated February 28, 2019 (**See Exhibit G**) from a neighboring resident expressing concern that they have historically been able to access a portion of the proposed site as an alternative emergency exit route. This is based on residents needing a secondary route that took them over and down through Rancho el Robledo Road during the flood of 1995 that damaged Stonepine bridge. Staff has reviewed County records and the Grant Deed and confirmed there are no such easements on the applicant's property that would entitle nearby residents to this parcel. If that applicant is willing and open to allowing an emergency exit route to the neighboring properties, it is at their discretion. There will not be a condition applied to the project to create an easement at this time.

Fire Prevention:

Monterey County Regional Fire Protection Department has reviewed the project without imposing any conditions of approval. A Fuel Management Plan was submitted as part of the application. Fire resistant construction materials, such as board formed concrete walls and metal roofing were chosen due to the high fire hazard risk of this parcel. In addition, four (4) five thousand (5,000) gallon water tanks will be on site for fire suppression. Although Monterey County Zoning Ordinance Section 21.64.260 requires a replacement of 1:1 ratio for removal of a protected tree, staff concurs with the arborist recommendation of 1:2 ratio; this in turn will reduce the fire hazard risk but still creates a forested environment by replacing trees in areas with the greatest opening on site.

Design Review:

The development standards for the LDR zoning district are identified in MCC Section 21.14.060. Required setbacks in the LDR district for main dwelling units are 30 feet (front), 20 feet (rear), and 10% of the average lot width to a maximum required of 20 feet (sides). The proposed structural side setback is 29' feet and 22' for the rear. The proposed dwelling is tucked at the end of the 23.5 acres parcel. Therefore, the structural front setback more than meets this requirement.

Maximum allowed structure height is 30 feet. The proposed height for the single-family dwelling is 14'3". The allowed site coverage maximum in the LDR district is 25%. The property is approximately 23.5 acres or 1,024,988 square feet, which would allow a max site coverage of approximately 256,247 square feet. The proposed single-family dwelling (4,212 sq. ft.), detached garage (1,163 sq. ft.), guesthouse/pool house (599 sq. ft.), roof area over 30" (1,030 sq. ft.), decks/patios over 24" (1,785 sq. ft.) would result in total site coverage of 8,789 square feet or approximately .08%. Therefore, as proposed, the project meets all required development standards.

Staff has determined that the proposed residence is compatible with the surrounding neighborhood character in terms of size, color, and location. Since this parcel is one of the larger parcels in the vicinity (23.5 acre), it's not visible from the neighboring properties or any common public viewing areas. The open, single-level classic ranch style architectural incorporates natural mixed materials with a twist of a modern design. Colors and materials are comprised of non-reflective galvanized metal roof, aluminum doors and windows with anodized finish, board formed concrete walls, and fiery opal paint color (dark-brick color). The proposed structure is consistent with the surrounding residential development. The proposed landscaping incorporates native vegetation that will blend seamlessly with the surrounding open natural environment of the Carmel Valley.

Water/Wastewater:

The project will be served by a private well for potable water and an on-site septic system will provide sewage disposal. The well is drilled in fractured rock, and testing indicated that fluoride was detected at two-point nine (2.9) parts per million (ppm), which slightly exceeds the maximum containment level of two (2) ppm. The Environmental Health Bureau has evaluated the project and applied a condition for fluoride treatment and to place a deed notice for the fractured rock well. The owner will be required to install a fluoride treatment system on the well to provide potable water for the single-family residence, pool house suite and workshop. The owner will also be responsible to record a deed restriction giving notice to present and future owners that additional water resources may be required in the future due to the nature of the well yields in a fractured rock or non-alluvial aquifer system which has a reduced ability to store and transmit water.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Monterey Regional Fire Protection Department

The proposed project was reviewed by the Camel Valley Land Use Advisory Committee (LUAC) on March 18, 2019. The LUAC members unanimously recommended approval.

FINANCING:

Funding for staff time associated with this project is included in the FY19-20 Adopted Budget for RMA-Planning.

Prepared by: Son Pham-Gallardo, Associate Planner, x5226

Reviewed by: Brandon Swanson, RMA Interim Chief of Planning

Approved by: John M Dugan, FAICP, RMA Deputy Director of Land Use and Community Development



The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

- Conditions of approval
- Site Plans, Floor Plans & Elevations

Exhibit C - Vicinity Map

Exhibit D - Arborist Report

Exhibit E - LUAC Minutes March 18, 2019

Exhibit F - LUAC Minutes March 4, 2019

Exhibit G - Geotech Report

Exhibit H - Interested Party Letter

cc: Front Counter Copy; Planning Commission; Son Pham-Gallardo, Assistant Planner, Craig Spencer, RMA Interim Services Manager; Justin Pauly, Agent; Kathi Rawnsley; Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN180112